

State of California  
Business, Transportation and Housing Agency  
Department of Transportation

PROGRAM AMENDMENTS  
Traffic Congestion Relief Applications  
Action Item

Prepared By:  
Debbie Mah  
Program Manager,  
Traffic Congestion Relief  
(916) 653-2052

CTC Meeting: July 11-12, 2001

Agenda Item: 2.1c.(3)

*Original Signed By*  
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W. J. EVANS  
Chief Financial Officer  
July 1, 2001

**TRAFFIC CONGESTION RELIEF (TCR) PROGRAM**  
**APPLICATION APPROVALS**

**RESOLUTION TA-01-12**

At the July 11-12, 2001, California Transportation Commission (Commission) meeting, the Commission will be asked to approve the attached Traffic Congestion Relief Program application approval resolution for the North Coast Railroad Authority (NCRA) for \$500,000. The NCRA is also requesting an advance of \$500,000.

Of the amount requested for project approval, the Department of Transportation (Department) recommends approval of \$250,000. Of the amount requested for advance, the Department recommends approval of \$83,333.

<i><b><u>Project</u></b></i>	<i><b><u>(\$ X 1,000)</u></b></i>		
<i><b><u>Number</u></b></i>	<i><b><u>Amount</u></b></i>	<i><b><u>Phases(s)</u></b></i>	<i><b><u>Description</u></b></i>
32	\$500	na	Repair & Upgrade Track of NCRA to meet Class II freight standards in Napa, Sonoma, Marin, Mendocino, & Humboldt Counties; Defray administrative costs for July 11, 2001 to June 30, 2002. (Subparagraph (a)(3)) <i>Lead Agency: North Coast Railroad Authority</i> <i>Implementing Agency: Same</i> <i>Advance Requested: \$500,000</i>

**TCR Program - Application Approval Request for Project # 32**July 11-12, 2001  
Agenda Item 2.1c(3)**Regional North Coast Railroad; Sub-paragraph (a)(3) defray administration costs**

(\$ x 1,000)

<b>Estimated Project Cost:</b>	<b>\$500</b>	<b>TCRP Funds covered by the application:</b>	<b>\$500</b>
<b>Total TCRP Funds Available:</b>	<b>\$750</b>	<b>Phase(s) covered in application:</b>	<b>N/A</b>
<b>Lead Agency:</b>	<b>North Coast Railroad Authority (NCRA)</b>	<b>Implementing Agency:</b>	<b>NCRA</b>

TCRP Funds Allocation requested concurrently with application: **\$500** for Phase(s): **N/A**

Advance requested: **\$500**

**Project Summary**

The overall project is to repair and upgrade the track to meet Class 2 (freight) standards.

This application for \$500,000 is to defray administrative costs for NCRA pursuant to Sub-section 14556.50 (a)(3).

**Cost and Schedule (\$ x 1,000)**

Phase	Scope	Start	End	Cost
1	Environmental - NOT APPLICABLE			
2	PS & E - NOT APPLICABLE			
3	Right of Way - NOT APPLICABLE			
4	Construction - NOT APPLICABLE			
<b>Total:</b>				<b>\$0</b>

**Funding Plan (\$ x 1,000)**

Source	Type	Phase 1	Phase 2	Phase 3	Phase 4	Total
TCRP	State	Committed	\$500			\$500
		Proposed				
	<b>Totals :</b>	Committed	\$500			\$500
		Proposed				
	<b>Total :</b>		\$500			\$500

**Discussion/Issues**

Determination by Caltrans' legal staff of the effects of bankruptcy proceedings against Rail-Ways, Inc. will not be completed for six months (around December 2001).

NCRA has requested a the full \$500,000 authorized under Sub-paragraph 14556.5 (a)(3) be approved, with a concurrent allocation and advance of \$500,000.

Recommended Resolution Language: Only \$250,000 of the authorized amount be approved at this time, with a concurrent allocation of \$250,000 and advance of \$83,333. The \$250,000 programmed and allocated for NCRA should help defray administrative costs from July 1, 2001 to December 31, 2001. The advance of \$83,333 will provide funds from July 1, 2001 to August 31, 2001, with NCRA submitting invoices for actual costs thereafter, until the \$250,000 has been exhausted.

Recommended Resolution Language: No additional funds be allocated to NCRA until such time as Caltrans' legal staff has made a determination of the effects of the bankruptcy proceedings against Rail-Ways, Inc.

**CALIFORNIA TRANSPORTATION COMMISSION**  
**Approval of Traffic Congestion Relief Program**  
**Project Applications**

**RESOLUTION TA-01-12**

- 1.1 WHEREAS the Traffic Congestion Relief Act of 2000 (herein after referred to as “statute”), which was established by Chapters 91 (AB 2928) and 656 (SB 1662) of the Statutes of 2000, establishes the Traffic Congestion Relief Program, providing \$5.39 billion for projects throughout the State of California to reduce traffic congestion, provide for safe and efficient movement of goods, and provide system connectivity; and
- 1.2 WHEREAS in accordance with Government Code Section 14556.11 the California Transportation Commission (Commission) has adopted guidelines, in consultation with the Department of Transportation (Department) and regional agencies, to implement the Traffic Congestion Relief Program (TCRP); and
- 1.3 WHEREAS the statute and guidelines require applicants to specify full and complete project applications, including scope, cost and schedule, financial plans and funding sources; and
- 1.4 WHEREAS the Commission, with assistance from the Department, is required by statute to review and approve applications for TCRP projects that meet the requirements in statute and guidelines; and
- 1.5 WHEREAS the statute establishes Government Code Section 14556.50, Sub-paragraph (a)(3), which provides \$500,000 in TCR funds to be allocated to North Coast Railroad Authority (NCRA) as directed by the Commission within one year of enactment of the Budget Act of 2000, to defray the administrative costs of the NCRA; and
- 1.6 WHEREAS the NCRA Fiscal Year 2000-01 administrative Budget with projected spending has been deemed acceptable; and
- 1.7 WHEREAS the Commission, with assistance from the Department, has reviewed submitted TCRP project application for NCRA administrative costs for Fiscal Year 2001-2002, and subsequent clarifications and revisions, and determined it complies with the statute and guidelines; and
- 1.8 WHEREAS the Commission has directed Commission and Department staff to determine the effects of bankruptcy proceedings against Rail-Ways, Inc. with respect to funds administered by the Department; and
- 1.9 WHEREAS the Department’s legal staff will require up to six months to make such a determination; and

- 1.10 WHEREAS the Commission has a fiscal responsibility in the administration of Traffic Congestion Relief Funds and will exercise due caution in the allocation of these and other TCR funds authorized in the statute; and
- 1.11 WHEREAS it is the intent of the Commission to assist NCRA in the re-establishment of the rail line, consistent with sound fiscal management of public funds.
- 2.1 NOW THEREFORE BE IT RESOLVED the Commission does hereby approve the following TCRP project application for a reduced amount of \$250,000 to cover NCRA administrative costs from July 1, 2001 to December 31, 2001, with subsequent clarifications and revisions:

<i><u>Project Number</u></i>	<i><u>(\$ X 1,000)</u></i>	<i><u>Phases(s)</u></i>	<i><u>Description</u></i>
32	\$500 <b>\$250</b>	na	Repair & Upgrade Track of NCRA to meet Class II freight standards in Napa, Sonoma, Marin, Mendocino, & Humboldt Counties; Defray administrative costs for July 1, 2001 to December 31, 2001. (Subparagraph (a)(3)) <i>Lead Agency: North Coast Railroad Authority</i> <i>Implementing Agency: Same</i> <i>Advance Requested: <del>\$500,000</del> \$83,333</i>

- 2.2 BE IT FURTHER RESOLVED that the Commission approves a reduced Advance amount of \$83,333 to cover the estimated NCRA administrative costs from July 1, 2001 through August 31, 2001; and
- 2.3 BE IT FURTHER RESOLVED that the remaining \$250,000 identified under Government Code Section 14556.50, Sub-paragraph (a)(3) will be considered under a future application from NCRA after December 31, 2001, or such time of determination of effects of bankruptcy proceedings against Rail-Ways, Inc., whichever occurs first; and
- 2.4 BE IT FURTHER RESOLVED that of the \$60,000,000 authorized under Government Code Section 14556.50 for the NCRA, \$54,000,000 has been programmed and \$17,500,000 has been allocated for activities identified in Sub-paragraphs (a) through (l), including \$250,000 authorized under this resolution; and
- 2.5 BE IT FURTHER RESOLVED that no additional funds shall be allocated to NCRA until such time as the Department's legal staff has made a determination of the effects of the bankruptcy proceedings against Rail-Ways, Inc; and
- 2.6 BE IT FURTHER RESOLVED that this TCRP project application approval by the Commission reserves the State funding for the project as specified by the statute, and allows the applicant agency to incur costs in accordance with the approved project application, statute and guidelines